

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE JOHNSON & JOHNSON  
TALCUM POWDER PRODUCTS  
MARKETING, SALES PRACTICES,  
AND PRODUCTS LIABILITY  
LITIGATION**

**Case No. 3:16-md-02738 (FLW) (LHG)**

**CIVIL ACTION**

**NOTICE OF BANKRUPTCY FILING AND STAY OF PROCEEDINGS**

**PLEASE TAKE NOTICE THAT**, on October 14, 2021 (the “Petition Date”), LTL Management LLC, a North Carolina limited liability company (“LTL”), filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina (the “Bankruptcy Court”). A copy of the voluntary petition (excluding the attachments thereto) is attached hereto as Exhibit A. LTL’s case is captioned In re LTL Management LLC, Case No. 21-30589 (JCW).

**PLEASE TAKE FURTHER NOTICE THAT**, upon the filing of LTL’s chapter 11 case, the automatic stay imposed by section 362 of the Bankruptcy Code (the “Automatic Stay”) became immediately effective and, as a result, all claims asserted against LTL in the above-captioned action (this “Proceeding”) are stayed absent an order of the Bankruptcy Court lifting or modifying the Automatic Stay.

**PLEASE TAKE FURTHER NOTICE THAT:** (i) Defendant Johnson & Johnson Consumer Inc. (“Old JJCI”), following a corporate restructuring that was completed on October 14, 2021, ceased to exist; (ii) as a result of the restructuring, LTL is now responsible for the talc-related claims asserted against Old JJCI in this Proceeding; and (iii) a new entity named Johnson & Johnson Consumer Inc. (“New JJCI”) was created as part of the same restructuring.

**PLEASE TAKE FURTHER NOTICE THAT:** (i) one or more of the entities set forth on the list attached hereto as Exhibit B and/or Johnson & Johnson are Defendants in this Proceeding (collectively with Old JJCI and New JJCI, the “LTL Defendants”); and (ii) as a result of the Automatic Stay, no further action may be taken to prosecute the talc-related claims against any LTL Defendant absent an order of the Bankruptcy Court lifting or modifying the Automatic Stay because (a) all LTL Defendants share such an identity of interest with LTL that LTL is, in effect, the real-party defendant in any claims asserted against them in this Proceeding and/or (b) prosecution of the talc-related claims against any LTL Defendant would allow plaintiffs to fix claims against LTL— particularly through indemnity or alleged indemnity obligations, but also through collateral estoppel, res judicata and evidentiary prejudice.

**PLEASE TAKE FURTHER NOTICE THAT** information regarding the status of LTL’s chapter 11 case may be obtained by (a) reviewing the docket of the LTL chapter 11 case at <http://www.ncwb.uscourts.gov/> (PACER login and password required) or free of charge at <https://dm.epiq11.com/LTL>; or (b) contacting any of the following counsel for LTL:

Gregory M. Gordon  
Dan B. Prieto  
Amanda Rush  
JONES DAY  
2727 North Harwood Street  
Dallas, Texas 75201  
Telephone: (214) 220-3939  
Facsimile: (214) 969-5100  
E-mail: [gmgordon@jonesday.com](mailto:gmgordon@jonesday.com)  
[dbprieto@jonesday.com](mailto:dbprieto@jonesday.com)  
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Dated: October 15, 2021

Respectfully submitted:



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**EXHIBIT A**

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Debtor LTL Management LLC Case number (if known) \_\_\_\_\_  
Name

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify: \_\_\_\_\_

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
☐ Railroad (as defined in 11 U.S.C. § 101(44))  
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)  
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

6 7 1 9

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7  
☐ Chapter 9

☒ Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

Case number (if known) \_\_\_\_\_

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years? ☒ No ☐ Yes

If more than 2 cases, attach a separate list.

☐ Yes. District \_\_\_\_\_ When MM / DD / YYYY Case number \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☐ Yes

List all cases. If more than 1, attach a separate list.

☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_  
MM / DD / YYYY

Case number, if known \_\_\_\_\_

**11. Why is the case filed in *this* district?**

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

 No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** *(Check all that apply.)*

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

- ❑ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property? \_\_\_\_\_  
 Number Street

Number	Street
--------	--------

City \_\_\_\_\_ State ZIP Code \_\_\_\_\_

**Is the property insured?**

☐ No☐ Yes. Insurance agency

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

### Statistical and administrative information

Debtor LTl Management LLC Case number (if known) \_\_\_\_\_  
Name

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

<input type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input checked="" type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated assets

<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input type="checkbox"/> \$10,000,001-\$50 million	<input checked="" type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input type="checkbox"/> \$10,000,001-\$50 million	<input checked="" type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

Request for Relief, Declaration, and Signatures

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/14/2021  
MM / DD / YYYY

☒ John K. Kim  
Signature of authorized representative of debtor

John K. Kim  
Printed name

Chief Legal Officer  
Title



Debtor LTL Management LLC  
Name

Case number (if known)

**18. Signature of attorney**

✕ /s/ Gregory M. Gordon

Date 10/14/2021

Signature of attorney for debtor

MM / DD / YYYY

Gregory M. Gordon

Printed name \_\_\_\_\_

## Jones Day

Firm name

2727 North Harwood Street

Number	Street
--------	--------

Dallas

TX

75201

City

State

ZIP Code

(214) 220-3939

Contact phone

gmgordon@jonesday.com

Email address

08435300

Bar number

TX

State

**EXHIBIT B**

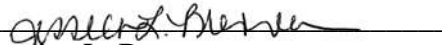
7-Eleven  
Acme Markets, Inc.  
Ahold Delhaize USA, Inc.  
Albertsons Companies, Inc.  
Alpha Beta Company  
Associated Wholesale Grocers, Inc.  
Associated Wholesaler Grocers, Inc.  
Bartell Drug Company  
Bashas', Inc.  
Bausch Health Americas, Inc.  
Bausch Health Companies Inc.  
Bausch Health US, LLC  
BCW LLC  
Beautyland  
Best Market of Astoria, Inc.  
BI-LO, LLC  
Bi-Mart Corporation  
C&S Wholesale Grocers  
C&S Wholesale Grocers, Inc.  
Classic Pharmacy, Inc.  
Cosentino Enterprises, Inc.  
Cosentino Group, Inc.  
Cosentino Price Chopper  
Cosentino's Food Stores  
Costco Wholesale Corporation  
CVS Health Corporation  
CVS Pharmacy, Inc.  
Demoulas Super Markets, Inc.  
Dierbergs Markets, Inc.  
Discount Drug Mart, Inc.  
Dollar Tree Stores, Inc.  
DRI I, Inc.  
Duane Reade, Inc.  
Eckerd Corporation of Florida, Inc.  
Family Dollar Stores  
Fleming Companies, Inc.  
Food 4 Less of California  
Food 4 Less of Southern California, Inc.  
Foodland (Sullivan Family of Companies  
Foodland Super Market, LTD  
Foot Locker, Inc.  
Foot Locker Specialties, Inc.,  
    individually and as successor-in-interest to F.W. Woolworth Co.  
Foot Locker Specialty, Inc.  
Four B Corporation d/b/a Balls Food Stores  
Fred Meyer Stores, Inc.  
Fruth Pharmacy, Inc.  
Gerlands Food Fair, LLC  
Gerlands, LLC  
Giant Eagle, Inc.  
Giant Food of Maryland, LLC  
Giant Food Stores, LLC

Grocery Outlet Holding Corporation  
Grocery Outlet, Inc.  
HAC, Inc.  
H-E-B, LP  
Hughes Markets, Inc.  
Hy-Vee, Inc.  
Johnson & Johnson  
Johnson & Johnson Consumer Inc.  
K&B Corporation  
K&B Louisiana Corporation  
Kings Park Slope, Inc.  
Kings Pharmacy  
Kings Pharmacy Holdings, LLC  
Kings Third Ave. Pharmacy, Inc.  
Knorr Street ShopRite, Inc.  
La Luz Market, LTD. Co.  
Lewis Food Town, Inc.  
Longs Drug Stores California, L.L.C.  
Longs Drug Stores of Southern California, L.L.C.  
Longs Drug Stores, L.L.C.  
Lucky Stores, Inc.  
Marc Glassman Inc.  
Marc Glassman, Inc. d/b/a Marc's Store & Pharmacy  
MBF Healthcare Holdings, Inc.  
MBF Healthcare Management, LLC  
Meijer, Inc.  
MMG Equity Partners  
Navarro Discount Pharmacies No. 5, LLC  
Navarro Discount Pharmacies, LLC  
OMJ Pharma, Inc.  
Owens & Minor Distribution, Inc.  
Owens & Minor, Inc.  
Piggly Wiggly Carolina Co.  
Piggly Wiggly Carolina Co., Inc.  
Piggly Wiggly Companies, Inc.  
Piggly Wiggly, LLC  
Piggly Wiggly, LLC (subsidiary of C&S Wholesale Grocers)  
PTI  
PTI Royston LLC, A Georgia Limited Liability Co., d/b/a Pharma Tech Industries  
PTI Union, LLC d/b/a Pharma Tech Industries  
Publix Super Markets, Inc.  
Raley's  
Ralphs Grocery Company  
Rite Aid  
Rite Aid Corporation  
Rite Aid Hdqtrs. Corp.  
Rite Aid of New York City, Inc.  
Rite Aid of New York, Inc.  
Rite Aid of Pennsylvania, Inc.  
Rite Aid of South Carolina, Inc.  
Rouse's Enterprises, L.L.C.  
Rouse's Enterprises, L.L.C. d/b/a Rouses Market  
Safeway Inc.  
Save Mart Supermarkets, Inc.

Schnuck Markets  
Schnuck Markets, Inc.  
Sedano's Market, Inc.  
Shanti Pharmacy Corp.  
Shop-Rite Supermarkets, Inc. a/k/a Shop Rite of Knorr Street  
Smith Food and Drug Center, Inc.  
Southeastern Grocers, Inc.  
Stater Bros. Markets  
Super Center Concepts, Inc. d/b/a Superior Grocers  
Superior Grocers  
SuperValu, Inc.  
T. Levy Associates, d/b/a Beauty Land Enterprises  
T. Levy Associates, Inc. t/d/b/a Beauty Land Enterprises  
Target Corporation  
The Bartell Drug Company  
The Former Johnson & Johnson Consumer Inc.  
The Kroger Company  
The Stop & Shop Supermarket Company LLC  
Thrifty Payless, Inc.  
Thrifty White Drug  
Tops Holding, LLC  
Valeant Pharmaceuticals International  
Valeant Pharmaceuticals International, Inc.  
Valeant Pharmaceuticals North America LLC  
Wakefern Food Corp.  
Walgreen Co.  
Walgreen Eastern Co., Inc.  
Walgreen Pharmacy Strategies, LLC  
Walgreens Boots Alliance, Inc.  
Walmart Inc.  
Wegmans Food Markets, Inc.  
Winn-Dixie Stores, Inc.  
Woolworth Corporation

**CERTIFICATION OF SERVICE**

I hereby certify that on October 15, 2021, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all counsel of record. Parties may access the filing through the Court's system.

By:   
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Dated: October 15, 2021